

Remarks/Arguments:

Claims 15-26 are pending in the application. Claims 15, 24 and 26 are independent. Claims 15, 20, 24 and 26 have been amended. Applicant believes that claims 15-26 are in condition for allowance.

Objection to the Specification and Rejection of Claims 15-23 under 35 U.S.C. § 101 and 112

The Examiner objected to the specification as failing to provide proper antecedent basis for the claimed subject matter of a “computer readable medium,” and rejected claims 15-23 under Section 101 and Section 112 for lacking support in the specification for the “computer readable medium” of claims 15-23. Applicant respectfully traverses these rejections. The specification includes sufficient information to demonstrate to a person having ordinary skill in the art (a “PHOSITA”) that the applicant was in possession of the “computer readable medium” aspect of the invention at the time of filing. A PHOSITA would know, from numerous references in the specification, that the browser plug-in of the present invention could be stored on a computer readable medium.

Examples of computer readable media in the specification include:

- Paragraph 0021 of the specification states that the browser, with which the plug in is installed, is an “unprivileged user program executing on a ... stand-alone computer that is connected to the Internet.” A PHOSITA would know that such stand-alone computers traditionally contain hard disk drives, solid state drives, persistent flash memory, optical discs, or other media where executable code, corresponding to user programs, is stored.
- paragraphs 0025-0028 of the specification state that
 - the program is “downloaded” from a “web site,” which implies to a PHOSITA that, in order for it to be able to be downloaded, it must first be stored on a computer readable medium on a web server that houses the web site,
 - the plug-in is “downloaded onto the user's computer,” which a PHOSITA knows to mean that it was downloaded to a storage medium in the user's computer, such as a hard drive, and
 - “files” are “installed” in “the standard directory for such files in the Microsoft Windows file system.” A PHOSITA knows that when files are installed, they are installed to a computer readable medium, and that the

Microsoft Windows file system is typically installed to a computer readable medium.

The claims of the present invention are, of course, not limited to the examples of computer readable media listed in the specification or in this Amendment. However, the examples above are sufficient support in the specification for the claims directed to a computer readable medium that stores executable code for a browser plugin. With respect to the Examiner's argument that the medium could be interpreted as software itself, Applicant respectfully submits that this is not the case according to the plain meaning of the term of art "computer readable medium"; that is, that the computer readable medium of claims 15-23 is a physical medium.

In claims 15-23, the Examiner objected to the term "about" in the phrase "when the browser is about to display," claiming that the term "about" gives no specific period of time when the "browser" will operate. Claim 15 has been amended to clarify the claim and is now deemed to be in condition for allowance.. Claims 16-23, which depend from Claim 15, accordingly, are also deemed in condition for allowance. Applicant therefore respectfully requests withdrawal of this rejection.

Objection to Claim 20 under 35 U.S.C. § 112

The Examiner objected to Claim 20 for showing dependency upon a canceled claim. Applicant has amended claim 20 so that the dependency refers to claim 15 as opposed to canceled claim 1. Applicant respectfully requests that the Examiner's objection to claim 20 be withdrawn as moot.

Rejection under 35 U.S.C. § 102

The Examiner rejected claims 15-17, 24 and 26 under 35 U.S.C. § 102 as unpatentable over U.S. Published Patent Application No. 2002/0059396 A1 ("Holzer"). Applicant respectfully submits that Holzer does not teach, disclose or suggest each and every element of claim 15.

Independent claim 15 recites a computer readable medium comprising machine-executable instructions for a plugin for a browser. The recited browser plug-in "detect[s] when the browser starts to display a DNS look-up failure" and "upon said detection," the plugin "attempt[s] a DNS look-up on an alternative DNS server." Holzer does not teach, disclose or suggest these elements.

Holzer discloses an apparatus and process that basically extracts and classifies error messages in order to replace those error messages with alternative data. The apparatus, an “error scanner,” is described as a physical interface that “is located between a web server and the client’s computer.” (paragraph 22). The error scanner analyzing the data exchange between the server and the client (paragraph 15). “When requesting web pages, entering search terms, or loading data, the requests are sent through the error scanner, which can be combined with a proxy server, a DNS server, or a web server.” (Paragraph 26). The error scanner of Holzer blocks responses to faulty requests and chooses alternative data such as corrected addresses, relevant information or ad banners. (Paragraph 27).

In contrast, the instructions stored on the medium of claim 15 are for a “plugin for a browser.” The plug-in includes instructions that cause the web browser to “detect when” the browser starts to display an error message informing the user that a referenced name (web address) cannot be found. Thus, while Holzer is analyzing the data exchange between the “error scanner” server and the client, the plug in of claim 15, when executed, is resident alongside the browser on the client machine, and “detects when” the browser starts to display an error message.

Because Holzer does not teach or suggest a “plugin for a browser” that “detect[s] when the browser starts to display a DNS look-up failure,” Holzer does not disclose, teach or suggest each and every element of claim 15. Applicant respectfully requests that claim 15 be allowed. Because claims 16 and 17 are dependent upon claim 15, Applicant respectfully submits that claims 16 and 17 are allowable as well.

Independent claims 24 and 26 also comprise a browser plug-in that detects when the browser starts to display a DNS look-up failure and attempts a DNS lookup on an alternative DNS server upon such detection. As described above, Holzer does not teach or suggest these elements. Therefore, Applicant respectfully requests allowance of claims 24 and 26.

Rejection under 35 U.S.C. § 103

The Examiner has rejected claims 18 and 19 under 35 U.S.C. § 103 as being unpatentable over Holzer in view of U.S. Published Patent Application No. 2008/0016233 A1 (“Schneider”). The Examiner has rejected claims 20-23 and 25 as being unpatentable over Holzer in view of U.S. Patent No. 7,003,555 (“Jungck”). Applicant respectfully traverses the rejection. As shown above, Holzer does not teach or suggest a plugin for a browser that “detect[s] when the browser starts to display a DNS look-up failure.” Neither Schneider nor Jungck cure this deficiency, as neither references teaches or suggests software on the client side that “detect[s] when the browser starts to display a DNS look-up failure.” Because neither Holzer, Schneider or Jungck teach or

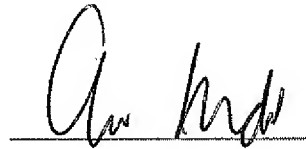
suggest this feature of claims 15 and 24, applicant respectfully requests allowance of claims 18-23 which depend from claim 15, and claim 25 which depends from claim 24.

Conclusion:

In view of the amendments and arguments set forth above, it is respectfully submitted that claims 15-26 of the present application are now in a condition for allowance, which action is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Ari Indik", is written over a horizontal line.

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